

GOVERNMENT OF TELANGANA
ABSTRACT

Forest Department – Diversion of 4.98 Ha of forest land in Charla Reserve Forest of Bhadrachalam Division for formation of road from Charla to Pusuguppa in Khammam District in favour of E.E., PR Division, Bhadrachalam – **In-principle (Stage.I)** approval – Accorded – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

G.O.RT.No. 67

Dated: 28-05-2016
Read the following:-

1. From the PCCF, T.S., Hyd., Lr.No. 23817/2012- FCA-2,
Dated. 13.02.2016.
2. GOI, MoEF, New Delhi Lr.No.11-9/98- FC, dated. 03.01.2005.
3. GOI, MoEF, New Delhi, Lr.F.No.11-9/98-FC, dated.03.11.2010.
4. GOI, MoEF, New Delhi, Lr.F.No.11-9/98-FC, dated.13.5.2011.
5. GOI, MoEF, New Delhi, Lr.F.No.11-9/98-FC, dated.16.6.2011.
6. GOI, MoEF, New Delhi, Lr.F.No.11-9/98-FC, dated.25.02.2016.

O R D E R:

In the letter 1st read above, the Principal Chief Conservator of Forests, Telangana, Hyderabad has submitted a proposal under section-2 of Forest (Conservation) Act, 1980, for diversion of 4.98 Ha of forest land in Charla Reserve Forest of Bhadrachalam Division for formation of road from Charla to Pusuguppa in Khammam District in favour of E.E., PR Division, Bhadrachalam.

2. The proposal has been examined with reference to the guidelines issued by the Government of India, MoEF, in the references 2nd to 6th read above.

3. Government after careful examination of the proposal and in exercise of the powers delegated to State Government in the guidelines issued by Government of India, MoEF, in the references 2nd to 6th read above, hereby accord **in-principle (Stage.I)** approval for diversion of 4.98 Ha of forest land in Charla Reserve Forest of Bhadrachalam Division for formation of road from Charla to Pusuguppa in Khammam District in favour of E.E., PR Division, Bhadrachalam, subject to the following conditions:

- (i) The legal status of the forest land shall remain unchanged;
- (ii) The demarcation of the forest area proposed for diversion shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 meters at the cost of user agency;
- (iii) Maximum number of trees to be felled shall not be more than fifty per hectare;
- (iv) The User Agency shall plant and maintain two times the number of trees felled on the diverted land to maintain the green cover at the project cost. Planting site for the purpose will be identified by Forest Department (Preferably within or in the surrounding area of the project). Only indigenous forest tree species shall be used for such plantations. Trees, if planted on the diverted area, will not be felled without the permission of Forest Department. Trees planted in surrounding area will belong to Forest Department.

(PTO)

- (v) The User Agency shall pay the Net Present Value (NPV) of the diverted forest land as per the orders of the Hon'ble Supreme Court, dated: 28.3.2008 and 9.5.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition (Civil) No.202/1995 and as per the orders issued by State Government vide Go.Ms.No.124 EFS&T (For.I) Dept., dated:27.7.2010;
- (vi) Additional amount of the Net Present value (NPV) of the diverted forest land, if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be paid by the user agency. The user agency shall furnish an undertaking to this effect;
- (vii) The additional amount of the Net Present Value (NPV) of the diverted forest land, if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be paid by the user agency and deposited either in SB A/c No. **037100101029963** of Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110 003 (RTGS/IFSC No.CORP0000371) or in SB A/c No. **344902010106351** of Union Bank of India, Sundar Nagar, New Delhi-110003 (RTGS/IFSC No.UBINO534498);
- (viii) The proposal shall be examined under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as per the guidelines issued by Ministry of Environment & Forests vide letter No. 11-9/1998 – FC(Pt) dated. 5-7-2013 and requisite certificates / documents be furnished;
- (ix) Other conditions specified in the G.OI, MoEF, letters dated: 03.01.2005 13-5-2011, 16-6-2011, 13.2.2014 and 07.11.2014 shall also be complied with by Principal Chief Conservator of Forests, Telangana State, Hyderabad and User Agency with which they are concerned;
- (x) The User Agency shall be responsible for any loss to the flora/fauna in the surroundings;
- (xi) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the Forest Department.
- (xii) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xiii) The forest land to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Government.
- (xiv) The total forest area utilized for the project shall not exceed 4.98 ha. In case the land is not taken over by the user agency or the same is not used for the stipulated purpose within a period of two years, then the area shall be taken back by the Forest Department.
- (xv) The Forest Department may impose from time to time any other condition(s) in the interest of conservation, protection and /or development of forests;
- (xvi) Transfer of forest land to the user agency shall not be affected prior to the issue of final approval. This approval shall be valid for a period of 5 years. In the event of non compliance of the above conditions, this approval shall automatically stand revoked.

(Contd...)

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- (xvii) The User Agency shall pay Penal Compensatory Afforestation in an area of the degraded forest land over the double the extent of forest area used in violation as per para - 4.3-ii of the guidelines of Forest (Conservation) Act, 1980 on the receipt of demand notice from the Principal Chief Conservator of Forests, Hyderabad.
- (xviii) The User Agency shall take up planting of agave suckers on both sides of the trench with 0.5 M espacement, and Bamboo planting with 5.00 M espacement inside the trench and also avenue plantation on the both sides of the road beyond 8.5 M.
- (xix) The User Agency shall also pay the cost towards establishment of a forest check post and its maintenance for period of (2) years to protect the forests from smuggling activity as demanded by Principal Chief Conservator of Forests, Hyderabad.

4. On receipt of the compliance report of the above conditions, the proposal will be considered for final approval.

5. The Principal Chief Conservator of Forests, Telangana, Hyderabad, is therefore, directed to take further necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

VIKAS RAJ
SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests (HoFF),
Telangana State, Hyderabad.

Copy to:

The Director General, Government of India, Ministry of Environment & Forests and Climate Change (Forest Conservation Division),
Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New Delhi
110 003.
The Addl. Prl. Chief Conservator of Forests, (Central), Govt. of India,
Ministry of Environment & Forests, Regional office, Regional Office
(South Eastern Zone), 1st & 2nd floor, HEPC Building, No.34,
Cathedral Garden Road, Nungambakkam, Chennai – 600034 (w.e.)
The Executive Engineer, PR Division, Bhadrachalam, Khammam District (User Agency)
SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER